

shall be in order at any time to consider in the House the resolution (H. Res. 423); the resolution shall be considered as read; and the previous question shall be considered as ordered on the resolution to its adoption without intervening motion or demand for division of the question except: (1) 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on House Resolution 423.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

HONORING AND RECOGNIZING THE DISTINGUISHED SERVICE, CAREER, AND ACHIEVEMENTS OF CHIEF JUSTICE WILLIAM HUBBS REHNQUIST UPON HIS DEATH

Mr. SENSENBRENNER. Mr. Speaker, pursuant to the order of the House entered into previously today, I call up the resolution (H. Res. 423) honoring and recognizing the distinguished service, career, and achievements of Chief Justice William Hubbs Rehnquist upon his death, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The text of House Resolution 423 is as follows:

H. RES. 423

Whereas William H. Rehnquist was born on October 1, 1924, in Milwaukee, Wisconsin and grew up the son of a paper salesman;

Whereas William H. Rehnquist served the United States in the Army Air Corps during World War II;

Whereas William H. Rehnquist attended and graduated from Stanford University, earning a bachelor's and master's degree in political science, and a second master's degree in government from Harvard University;

Whereas William H. Rehnquist went on to graduate first in his class at Stanford Law School in 1952, where he met his wife Natalie "Nan" Cornell;

Whereas William H. Rehnquist and Natalie had three children: James, Janet, and Nancy;

Whereas William H. Rehnquist served as a law clerk to Justice Robert H. Jackson on the Supreme Court during the 1951 and 1952 terms, and as Assistant Attorney General for the Justice Department's Office of Legal Counsel, where he advised the Nixon Administration on constitutional law from 1969 until 1971;

Whereas William H. Rehnquist was appointed by President Nixon and confirmed by

the Senate as an Associate Justice of the United States on December 10, 1971, at the age of 47;

Whereas William H. Rehnquist was appointed by President Reagan and confirmed by the Senate as the 16th Chief Justice of the United States in 1986;

Whereas Chief Justice Rehnquist's 33-year tenure on the Supreme Court was one of the longest and most influential in the Nation's history;

Whereas legal scholars of all perspectives rank Chief Justice Rehnquist as among the great Chief Justices of the United States who influenced the interpretation of the law in significant ways;

Whereas Chief Justice Rehnquist was widely respected for his evenhandedness as Chief Justice; and

Whereas on January 7, 2002, the 30th Anniversary of his swearing in at the Supreme Court, Justice John Paul Stevens praised Chief Justice Rehnquist for "the efficiency, good humor and absolute impartiality that you have consistently displayed when presiding at our Conferences": Now, therefore, be it

Resolved, That the House of Representatives—

(1) has learned with profound sorrow of the death of Chief Justice Rehnquist; and

(2) honors, recognizes, and expresses gratitude for the distinguished service, career, and achievements of William H. Rehnquist upon his death.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from California (Mr. BERMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 423 which honors and recognizes the distinguished service, career, and achievements of Chief Justice William Hubbs Rehnquist upon his death.

Mr. Speaker, the passing of Chief Justice Rehnquist means that a long and distinguished career has come to an end. William Rehnquist was born on October 1, 1924, in Milwaukee, Wisconsin and was raised in nearby Shorewood, Wisconsin, which currently lies in the congressional district I am proud to represent. The future Chief Justice attended Kenyon College briefly before joining the U.S. Army Air Corps during World War II.

Following his career in the Army, Chief Justice Rehnquist attended and graduated from Stanford University, where he received a bachelor's and master's degree in political science and a second master's degree in government from Harvard University.

At Stanford Law School, the future Chief Justice graduated first in the class that famously included his future colleague, Justice Sandra Day O'Connor. It was also at Stanford Law School that the Chief Justice met his future wife, Natalie "Nan" Cornell, whom he married in 1953.

After graduation, William Rehnquist clerked for Supreme Court Justice Robert H. Jackson for the 1952 and 1953

terms. He then went on to practice as an attorney in his adopted home State of Arizona for several years before returning to Washington, DC, to serve as Assistant Attorney General for the Justice Department's Office of Legal Counsel, where he advised the Nixon administration on constitutional law from 1969 until 1971.

On October 22, 1971, President Nixon nominated William Rehnquist to fill the vacancy on the United States Supreme Court created by Justice John Marshall Harlan's retirement. The Senate confirmed him to the post of Associate Justice on December 10, 1971, and he was sworn into office on January 7, 1972, at the age of 47.

Under his leadership, federalism, judicial restraint, and State autonomy once again became staple features of the Court's jurisprudence. Chief Justice Rehnquist deeply respected the proper roles of each branch of government and the separation of powers envisioned by our Founders. He repeatedly acknowledged that the first amendment to the Constitution guaranteed the free exercise of religion.

By the time President Reagan nominated him to become the 16th Chief Justice of the United States on June 20, 1986, to replace Warren Burger, the pieces were in place for the Chief Justice to make a profound impact on American jurisprudence. His commitment to his principles were evidenced in his majority opinion upholding Cleveland, Ohio's program of school vouchers, which allowed public school students in poor areas to use vouchers to attend better, and often religious, schools, against an Establishment Clause challenge. His support for freedom of religion was also evidenced in his concurring opinion of *Elk Grove Unified School District v. Newdow*, in which he rightly concluded that the phrase "under God" in the Pledge of Allegiance was not a violation of the Establishment Clause.

Most recently, Chief Justice Rehnquist joined Justice O'Connor's dissent in *Kelo v. City of New London* in which they correctly concluded that it is a violation of the fifth amendment's Public Use Clause when a government takes private property and gives it to another private entity to use for private commercial purposes.

Apart from the doctrinal changes the Chief Justice brought to the Court, he also streamlined the manner in which the Court operated. His keen intellect and evenhandedness were appreciated by all of his colleagues. On the 30th anniversary of Rehnquist's swearing in, Justice John Paul Stevens, who often found himself on the opposite side of opinions from the Chief Justice, praised him for the "efficiency, good humor, and absolute impartiality that you have consistently displayed when presiding at our conferences." These traits have led observers of all political persuasions to view Chief Justice Rehnquist as one of the most consequential jurists in our history.